

## **MINUTES**

**CITY OF IMPERIAL BEACH  
CITY COUNCIL  
PLANNING COMMISSION  
PUBLIC FINANCING AUTHORITY  
HOUSING AUTHORITY  
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY**

**NOVEMBER 18, 2015**

**Council Chambers  
825 Imperial Beach Boulevard  
Imperial Beach, CA 91932**

**CLOSED SESSION MEETING – 5:00 P.M.  
REGULAR MEETING – 6:00 P.M.**

### **CLOSED SESSION MEETING CALL TO ORDER**

Mayor Dedina called the Closed Session meeting to order at 5:00 p.m.

### **ROLL CALL BY CITY CLERK**

Councilmembers present: Patton, Bragg  
Councilmembers absent: Spriggs  
Mayor Present: Dedina  
Mayor Pro Tem Absent: Bilbray  
Staff Present: City Manager Hall, City Attorney Lyon, City Clerk Hald

### **CLOSED SESSION**

**MOTION BY BRAGG, SECOND BY PATTON, TO ADJOURN TO CLOSED SESSION UNDER:**

**1. CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION**

Pursuant to Government Code section 54956.9(d)(1)  
Case No. 37-2013-00081555-CU-EI-CTL

**MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: PATTON, BRAGG, DEDINA  
NOES: COUNCILMEMBERS: NONE  
ABSENT: COUNCILMEMBERS: SPRIGGS, BILBRAY**

Mayor Dedina adjourned the meeting to Closed Session at 5:01 p.m. and he reconvened the meeting to Open Session at 6:00 p.m.

Reporting out of Closed Session, City Attorney Lyon announced Councilmembers Bragg and Patton and Mayor Dedina discussed Closed Session Item No. 1, direction was given and no reportable action was taken.

Councilmember Spriggs did not attend Closed Session due to a potential conflict of interest.

### **ADJOURN CLOSED SESSION**

Mayor Dedina adjourned the Closed Session meeting at 6:00 p.m.

### **REGULAR MEETING CALL TO ORDER**

Mayor Dedina called the regular meeting to order at 6:01 p.m.

### **ROLL CALL BY CITY CLERK**

Councilmembers present: Patton, Bragg, Spriggs  
Councilmembers absent: None  
Mayor Present: Dedina

Mayor Pro Tem Absent: Bilbray  
Staff Present: City Manager Hall, City Attorney Lyon, City Clerk Hald, Fire Chief French, Assistant City Manager Dush, Public Works Director Levien

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Armando Dilan and Princess Carbajal from Emory School.

### **AGENDA CHANGES**

City Manager Hall recommended pulling Item No. 5.3 from the agenda for consideration at a future City Council meeting.

**MOTION BY PATTON, SECOND BY BRAGG, TO PULL ITEM NO. 5.3 FROM THE AGENDA FOR CONSIDERATION AT A FUTURE CITY COUNCIL MEETING. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: PATTON, BRAGG, SPRIGGS, DEDINA**

**NOES: COUNCILMEMBERS: NONE**

**ABSENT: COUNCILMEMBERS: BILBRAY**

### **MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/REPORTS ON ASSIGNMENTS AND COMMITTEES**

Councilmember Patton reported on his attendance at the Dempsey Holder Surf Contest, the Military Appreciation Day event, and the El Niño/Sea Level Rise workshop. He announced the Boys and Girls Club is having a pep rally on Friday to cheer on the Mar Vista High School Football team.

Councilmember Bragg stated she too attended many of the same events mentioned by Councilmember Patton. She thanked City staff for their efforts on the Military Appreciation Day event. She also recognized the Fleet Reserve, American Legion, the VFW Post and other volunteer organizations for their participation in the event. She announced November 28 is Small Business Saturday and encouraged everyone to shop at local stores.

Councilmember Spriggs announced he was a League of California Cities representative at a California Coastal Commission workshop on sea level rise guidelines, and reported on his attendance at the City's El Niño/Sea Level Rise workshop, a Regional Climate Collaboration Workshop, the Metro Wastewater JPA Commission meeting, and the Independent Rates Oversight Committee meeting.

Mayor Dedina spoke about his attendance at the El Niño/Sea Level Rise workshop and the Military Appreciation Day event. He reported on a binational working group meeting to clean up the Tijuana River and he recognized Chris Helmer who is the lead person on the project. He also reported on his attendance at the Global Wellness Summit in Mexico City.

Councilmember Patton announced a new hotel developer is holding an open house in the Community Room tomorrow night.

### **COMMUNICATIONS FROM CITY STAFF**

Fire Chief French reported on the El Niño/Sea Level Rise workshop that was held last night. Information on how to prepare for and what to do during an El Niño will be disseminated. He also announced sand and sandbags are available behind the Fire Station and he encouraged everyone to sign up for Reverse 911 and Alert San Diego at [www.readysandiego.org](http://www.readysandiego.org).

### **PUBLIC COMMENT**

John Griffin, Pastor of Imperial Beach Methodist Church, extended an invitation to the public to attend a community event on December 10 to address the availability of a drink product that is high in alcohol.

James De la Cerna, Program Director for the Boys and Girls Club, distributed information on the "Sports Park Exchange!" and the Mar Vista High School Pregame Playoff Pep Rally.

### **PRESENTATIONS (1)**

None.

### **CONSENT CALENDAR (2.1-2.7)**

**MOTION BY SPRIGGS, SECOND BY BRAGG, TO ADOPT CONSENT CALENDAR ITEM NOS. 2.1 THROUGH 2.7. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: PATTON, BRAGG, SPRIGGS, DEDINA**

**NOES: COUNCILMEMBERS: NONE**

**ABSENT: COUNCILMEMBERS: BILBRAY**

#### **2.1 MINUTES. (0300-25)**

City Council approved the Regular Meeting minutes of September 16, 2015 and the Special Workshop Meeting Minutes of September 23, 2015.

#### **2.2 RATIFICATION OF WARRANT REGISTER. (0300-25)**

Ratified the following registers: Accounts Payable Numbers 87589 through 87661 and EFT #'s 97-104 for a subtotal amount of \$1,498,613.14 and Payroll Checks/Direct Deposits 46778 through 46795 for a subtotal amount of \$166,616.69 for a total amount of \$1,665,229.83.

#### **2.3 RECEIVE TREASURER'S REPORT. (0300-90)**

City Council received the monthly treasurer's report.

#### **2.4 ADOPTION OF ORDINANCE NO. 2015-1153 ADDING CHAPTER 15.07 OF THE IMPERIAL BEACH MUNICIPAL CODE TO PROVIDE AN EXPEDITED, STREAMLINED PERMITTING PROCESS FOR SMALL RESIDENTIAL ROOFTOP SOLAR SYSTEMS. (0710-95)**

City Council adopted Ordinance No. 2015-1153.

#### **2.5 LOCAL APPOINTMENTS LIST. (0460-45)**

City Council approved the Local Appointments List in compliance with California Government Code §54972 and designate the Imperial Beach Branch Library (the public library with the largest service population within jurisdiction) to receive a copy of the list in compliance with California Government §54973.

#### **2.6 ADOPTION OF RESOLUTION NUMBER 2015-7644 AUTHORIZING THE CITY MANAGER TO RENEW AN AGREEMENT WITH THE SWEETWATER UNION HIGH SCHOOL DISTRICT FOR PROVISION OF SCHOOL RESOURCE OFFICER SERVICES FROM FISCAL YEAR 2015/16 THROUGH 2017/18. (0260-45)**

Adopted resolution.

#### **2.7 TERMS EXPIRING DECEMBER 31, 2015 – PARKS AND RECREATION COMMITTEE (PRC). (0120-80)**

1. Mayor Dedina recommended reappointment of members Ken Blinsman and Marc Stephenson and alternates Marcy Aguilar, Peter Salisbury and Molly Goforth for terms of office expiring December 31, 2019 and
2. City Council approved the Mayor's appointment selections to the PRC.

**ORDINANCES – INTRODUCTION/FIRST READING (3)**

None.

**PUBLIC HEARINGS (4)**

None.

**REPORTS (5.1-5.5)**

**5.1 CODE COMPLIANCE WORKSHOP FOLLOW-UP. (0140-40)**

Assistant City Manager Dush gave a PowerPoint presentation on the item and reviewed a new/refined code compliance methodology for non-life safety issues:

1. You + 2 Policy – Before deploying City staff, a person and two other individuals (from other households) file complaints. This process avoids a spite driven or retaliatory process.
2. Blight Priority – Focuses on blight, have intelligence led policing, and makes for a more aesthetically pleasing community.
3. Abatement Acceleration – A new procedure for deploying the abatement process earlier so properties don't sit idle.

Mark Williams asked the City to stop sending out certified letters, to have hearing officer results made public, and to show code enforcement cases on the City's website.

Kim Frink spoke in support for a community visioning process. She asked the City Council to consider recreational vehicle storage related issues by deleting section 10.36.110(C) – Off-Street Parking from the IBMC. She stated recreational vehicles encourage outdoor recreation and promote healthy active lifestyles.

Councilmember Patton requested a review of IBMC 10.36 in the future.

In response to Councilmember Bragg, City Attorney Lyon stated that certified letters are sent to show proof that a letter was served.

Building Official Holden reviewed the notification process and explained when certified letters are transmitted.

Discussion ensued about administrative hearings and the possibility of placing results on the Internet.

Assistant City Manager Dush stated staff will monitor and collect data as City Council's policy direction is implemented and return to City Council in a few months with the results. He also stated staff is developing a list of blighted properties on major design corridors.

Councilmember Spriggs spoke in support for a consistent approach and having clear criteria for what is considered blight.

City Manager Hall stated the properties that are clearly blighted will be addressed and those that need clarity will be brought back to City Council for review.

Mayor Dedina spoke in support for a common sense based approach to code enforcement. He spoke about some of the biggest blighted properties in the City, expressed concern about placing records on the Internet, and supported a fair and transparent process.

Consensus of City Council to move forward.

**5.2 RESOLUTION NO. 2015-7647 AUTHORIZING AN "EIGHT-ALLEY PAVING PROJECT" ADDITION TO THE CIP TWO-YEAR IMPLEMENTATION PLAN FY 15/16 & FY 16/17 AND APPROPRIATION OF \$1,000,000 OF 2010 BOND FUNDS TO THE 8-ALLEY PAVING PROJECT AND AUTHORIZING THE COMMENCEMENT OF THE PROJECT DESIGN IN FY 15/16. (0720-08)**

An updated alley map was submitted as last minute agenda information.

Public Works Director Levien gave a PowerPoint presentation and suggested the addition of a ninth alley (Alley #5 - access from Cypress Ave. between Emory and 10<sup>th</sup> St.) at a cost of \$50,000 or less. He also reviewed the reasons for not paving Alleys 8, 9, 10, 30, 31 and 51.

Councilmember Bragg spoke in support for adding Alley #5. She also expressed concern about the blighted condition of Alley #8 and asked that it be cleaned up.

Councilmember Spriggs also spoke in support for adding Alley #5. He asked staff to return with information on the next phase which is addressing the remainder of the unpaved alleys (those marked in green on Attachment 2 of the staff report).

Councilmember Patton also spoke in support for adding Alley #5 and allocating funds towards the installation of street lights.

Public Works Director Levien spoke about street lights that were installed this year and the plans for installing street lights next year.

City Attorney Lyon read the following revisions to Resolution No. 2015-7647:

- replace eight alleys with nine alleys and
- insert the addition of \$50,000 of Gas Tax money that would be used towards this project with the addition of Alley #5

**MOTION BY SPRIGGS, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2015-7647 AUTHORIZING A "NINE-ALLEY PAVING PROJECT" ADDITION TO THE CIP TWO-YEAR IMPLEMENTATION PLAN FY 15/16 & FY 16/17 AND APPROPRIATION OF \$1,000,000 OF 2010 BOND FUNDS TO THE 9-ALLEY PAVING PROJECT AND AUTHORIZING THE COMMENCEMENT OF THE PROJECT DESIGN IN FY 15/16 AND TO INCLUDE THE MODIFICATIONS TO THE RESOLUTION AS SUGGESTED BY THE CITY ATTORNEY. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: PATTON, BRAGG, SPRIGGS, DEDINA**

**NOES: COUNCILMEMBERS: NONE**

**ABSENT: COUNCILMEMBERS: BILBRAY**

**5.3 RESOLUTION NO. 2015-7648 SETTING THE TIME AND PLACE FOR A PUBLIC HEARING TO CONSIDER THE FORMATION OF AN UNDERGROUND UTILITY DISTRICT IN 1300 BLOCK DONAX, 1300 BLOCK ELM AND 900-1000 BLOCKS FERN AVENUE (DONAX/ELM/FERN AVENUES UNDERGROUND UTILITY DISTRICT). (0140-40)**

Item removed from the agenda by prior City Council action.

**5.4 RESOLUTION NO. 2015-7646 SUPPORTING STATE LEGISLATION ENABLING THE CITY TO REQUEST AND PROCESS STATE HIGHWAY 75 RELINQUISHMENT. (0140-40)**

Assistant City Manager Dush gave a PowerPoint on the item.

City Manager Hall clarified that if the bill is approved and signed by the governor, the City Council is not obligated to relinquish the road.

Councilmember Spriggs commented on Caltrans' complex permitting process that can hinder development along SR 75. He noted that the City Council has not been provided with the cost benefits for relinquishing SR 75. He also stated that since the resolution does not make clear the City is not mandated to relinquish SR 75, he suggested modification of the resolution to include the following recitals from the staff report: that the resolution does not mandate the City to seek relinquishment but merely supports legislation that would authorize the City to do so at

its discretion; and if the City would pursue relinquishment, a comprehensive analysis of the financial considerations and permitting authority benefits would occur and be presented to the City Council first.

Councilmember Patton concurred with Councilmember Spriggs' comments and stated if Councilmember Spriggs made the motion, he would second it.

Mayor Dedina spoke about the issues in dealing with bureaucratic State agencies such as Caltrans.

**MOTION BY SPRIGGS, SECOND BY PATTON, TO ADOPT RESOLUTION NO. 2015-7646 SUPPORTING STATE LEGISLATION ENABLING THE CITY TO REQUEST AND PROCESS STATE HIGHWAY 75 RELINQUISHMENT AND REVISE THE RESOLUTION BY INSERTING THE LAST TWO SENTENCES IN THE ANALYSIS SECTION OF THE STAFF REPORT. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: PATTON, BRAGG, SPRIGGS, DEDINA**

**NOES: COUNCILMEMBERS: NONE**

**ABSENT: COUNCILMEMBERS: BILBRAY**

**5.5 CONSIDERATION OF LICENSE AGREEMENT TO UTILIZE PRIVATE PROPERTY LOCATED NORTHEAST OF THE INTERSECTION OF SEACOAST DRIVE AND DATE STREET, AND AUTHORIZATION OF CITY MANAGER TO EXECUTE THE LICENSE AGREEMENT. (0720-10)**

City Manager Hall reported on the item and noted that the property owner is allowing the City to use the property in a temporary manner until the property is developed. More information will be presented to City Council in the future and concerns raised regarding negative uses will be addressed.

**MOTION BY PATTON, SECOND BY SPRIGGS, TO AUTHORIZE THE CITY MANAGER TO EXECUTE A LICENSE AGREEMENT WITH MR. ALBERT LISSOY. MOTION CARRIED BY THE FOLLOWING VOTE:**

**AYES: COUNCILMEMBERS: PATTON, BRAGG, SPRIGGS, DEDINA**

**NOES: COUNCILMEMBERS: NONE**

**ABSENT: COUNCILMEMBERS: BILBRAY**

**I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS (6)**

None.

**ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)**

None.

**ADJOURN REGULAR MEETING**

Mayor Dedina adjourned the Regular Meeting at 7:51 p.m.

\_\_\_\_\_/s/  
Serge Dedina,  
Mayor

\_\_\_\_\_/s/  
Jacqueline M. Hald, MMC  
City Clerk